

**REMARKS**

Sir:

Claims 1 – 16 were in the application as filed. Claim 1 is an independent method claim with claims 2 – 9 dependent there from, and claim 10 is an independent apparatus claim with claims 11 – 16 dependent there from. Claims 1 – 16 are cancelled by this amendment and replaced by a new set of claims 17 – 32. One reason for the rewriting of the claims is to put the claims in a standard U.S. format.

Claim 1 as filed stands rejected as unpatentable over the cited Libin patent in view of the cited Plummer and Reed patents.

The claims, as rewritten, include two independent claims, namely a new method claim, claim 17 and a new apparatus claim, claim 32.

The original claim 1 was rejected under 35 U.S.C. 103(a) as unpatentable over Libin in view of Plummer and Reed. The term "fluid" is used applicant's specification and the claims, as filed. Furthermore, it is apparent that at least certain of the references cited by the Examiner relate to heat exchangers in which the fluid is a gas. For example, the Libin reference specifically refers to "...the circulation of leakage gas between the two walls" (column 5 lines 34 and 35). It is submitted that the Libin arrangement is not suited for liquid leak detection, which requires a channel. New claim 17 recites the subject matter of the original claim 1, but replacing term "fluid" with the term "liquid". New claim 17 recites "expanding said inner tube such that and the surface

profiling forms at least one leak detection channel between the two tubes. The cited Libin patent is intended only for gas leak detection (column 5, lines 34 and 35), but not suited for liquid leak detection requiring a channel, as recited in new claim 17.

Furthermore, claim 17 recites that the expansion of the outer tube is effected such that the "molten solder is forced out between the inner tube and the outer tube..." The cited Libin reference in column 1, lines 7 and 8 states that "...two calenture tubular walls disposed one inside the other substantially without clearance," and in column 1, line 19 it is referred to "very small mechanically clearance." It is noted that in accordance with the present invention the grooves must be sufficiently large to receive the forced out solder and at the same time to guarantee an open continuous leak detection channel. Thus, in this regard the Libin reference teaches away from Applicant's invention as recited in the present claims.

New claims 17 – 25 are apparatus claims similar to original claims 1 – 9.

New claims 26 – 32 correspond to the subject matter of original claims 11 – 16.


New claims 17 – 32 are believed to be in condition for allowance and early notification of allowance would be appreciated.

Appl. No. 10/031,735

If the Examiner considers that a telephone conversation with Applicant's attorney would be helpful in the disposition of the case, the Examiner is cordially invited to contact the undersigned at the number indicated below.

Respectfully submitted,

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